

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CATHY ROONEY, et al.,

Plaintiff,

-against-

PROSPECT CAPITAL MANAGEMENT L.P., et al.,

Defendants.

Case No. 1:23-cv-01753
(JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

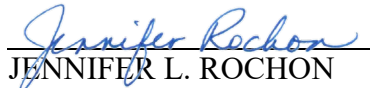
On May 15, 2023, the Court directed Plaintiffs to file a Rule 7.1 Disclosure statement, including all necessary information to establish subject-matter jurisdiction. ECF No. 17. On May 22, 2023, Plaintiffs filed a statement apparently identifying the owners of Plaintiffs Doris Wall IRA and Michael Faigen IRA. *See* ECF No. 20. However, nowhere in that statement, or in the Complaint, do Plaintiffs allege the citizenship of Defendant Prospect Capital Management L.P. – a limited partnership – or the other defendants in this action.

For purposes of diversity jurisdiction, a limited partnership has “the citizenship of each of its general and limited partners.” *Handelsman v. Bedford Vill. Assocs. Ltd. P’ship*, 213 F.3d 48, 52 (2d Cir. 2000) (citing *Carden v. Arkoma Assocs.*, 494 U.S. 185, 195-96 (1990)). A limited liability company is deemed to be a citizen of each state of which its members are citizens. *See id.* at 51-52. If any member of the limited partnership or LLC “are themselves non-corporate entities, then a plaintiff must allege the identity and citizenship of their members, proceeding up the chain of ownership until it has alleged the identity and citizenship of every individual and corporation with a direct or indirect interest in the LLC” or partnership. *U.S. Liab. Ins. Co. v. M Remodeling Corp.*, 444 F. Supp. 3d 408, 410 (E.D.N.Y. 2020).

Here, Plaintiffs have not alleged the citizenship of the members of any of the Defendant entities. Accordingly, IT IS HEREBY ORDERED that Plaintiffs shall, no later than **June 5, 2023**, file a letter, supported by one or more sworn affidavits, that provide the necessary prerequisites for the Court to exercise subject-matter jurisdiction in this case, including by alleging the identity and citizenship of members of the Defendant Prospect Capital Management L.P. and other Defendants in this action.

Dated: May 23, 2023
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge